

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

IN RE LORAZEPAM AND  
CLORAZEPATE ANTITRUST  
LITIGATION

CASE NUMBER MDL 1290  
Misc. No. 99-276 (TFH/JMF)

ADVOCATE HEALTH CARE,  
ST. CHARLES HOSPITAL and  
REHABILITATION CENTER, DIK DRUG  
COMPANY and HARVARD PILGRIM  
HEALTH CARE, INC., and On Behalf  
of Themselves and On Behalf of All Similarly  
Situated Direct Purchasers of Generic  
Lorazepam and Clorazepate Tablets,

Plaintiffs,

v.

MYLAN LABORATORIES, INC.,  
MYLAN PHARMACEUTICALS, INC.,  
UDL LABORATORIES, INC., CAMBREX  
CORPORATION, GYMA LABORATORIES  
OF AMERICA, INC., and SST CORPORATION,

Defendants.

) CASE NUMBER 1:99-CV-00790  
) CONSOLIDATED WITH  
) CASE NUMBER 99 C2228

) U.S. DISTRICT COURT FOR THE  
) NORTHERN DISTRICT OF  
) ILLINOIS

) JUDGE: THOMAS F. HOGAN

**FILED**

**JUL 13 2001**

NANCY MAVER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

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**STIPULATION AND ORDER  
AMENDING SETTLEMENT AGREEMENT AND  
PRELIMINARY APPROVAL ORDER**

WHEREAS the Court has ordered plaintiffs and the non-settling defendants to submit a proposed class notice by July 27, 2001, and

WHEREAS Plaintiffs and defendant SST Corporation ("SST") wish to coordinate notice of their proposed settlement with the class notice in the ongoing litigation, to avoid unnecessary expenditure of resources,

IT IS HEREBY STIPULATED AND AGREED, by and between the Plaintiffs and SST, through their undersigned counsel:

A. Paragraphs 6 and 7 of the Order Conditionally Certifying Settlement Class and Preliminarily Approving Proposed Settlement Between Plaintiffs, the Settlement Class, and Defendant SST Corporation dated April 27, 2001 (the "Preliminary Approval Order"), as amended by the Stipulation and Order entered on June 29, 2001, shall be deleted and the following paragraphs shall replace them:

6. Class Counsel may defer notice of the proposed settlement until the "Notice Date," which shall be the earlier of: (i) such time as the notice may be combined with other notice to the purported class in the context of class certification or a proposed settlement with other defendants in this Action, or (ii) September 28, 2001.

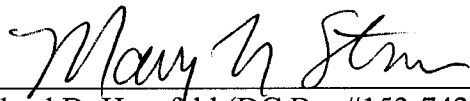
7. On or before July 27, 2001, Class Counsel and Counsel for SST shall jointly submit a proposed Notice and proposed Summary Notice for the Court's approval. If the Parties cannot agree on the form of such notices, the Parties shall submit the issue for the Court for its binding, non-appealable resolution.

B. The foregoing paragraphs shall also replace paragraphs VII(A)(4) & (5) of the Stipulation of Settlement Between Plaintiffs and SST Corporation, dated February 6, 2001 (the "Stipulation of Settlement"), as amended by the Stipulation and Order entered on June 29, 2001.

Date: July 12, 2001

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**Counsel for SST Corporation****SO ORDERED:**

  
United States District Judge

Date: July 13<sup>th</sup>, 2001

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## **CERTIFICATE OF SERVICE**

I, Mary N. Strimel, certify that on July 12, 2001, I caused a true and correct copy of the foregoing Stipulation and Order Amending Settlement Agreement and Preliminary Approval Order to be served by first class mail, postage prepaid on the following counsel of record:

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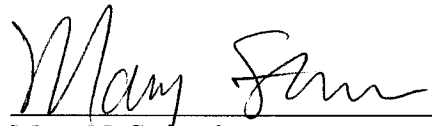
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Mary N. Strimel